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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. On 17 September 1994, the Tajik parties signed at Tehran the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks (S/1994/1102, annex I). On 22 September, the Security Council welcomed the Agreement and, inter alia, invited me to present urgently my recommendations regarding the request of the Tajik parties for United Nations support for the Agreement (see S/PRST/1994/56). In my report of 27 September 1994 (S/1994/1102), I recommended that the mandates of my Special Envoy and of the small group of United Nations officials currently in Tajikistan should be extended for a further period of four months and that, as a provisional measure, the group of officials be strengthened with up to 15 military observers drawn from existing peace-keeping operations, pending a decision by the Security Council to establish a new United Nations observer mission in Tajikistan. I also informed the Council of my decision to send a technical survey mission to Tajikistan to assess the modalities for establishing a future observer mission. In a letter dated 29 September 1994 (S/1994/1118) the President of the Security Council informed me that the members of the Council had taken note of the observations and recommendations in the above report.

2. A Secretariat team visited Tajikistan from 4 to 12 October 1994 to look into all aspects of a possible United Nations observer mission which would have the task of assisting in the implementation of the Cease-fire Agreement. The mission also considered the functions of the military observers who would be temporarily deployed to strengthen the United Nations office in Dushanbe.

3. The 15 military observers arrived in Tajikistan during October and are now based in offices in Dushanbe, Garm, Kurgan-Tyube and Pyanj. They are led by Brigadier-General Hasan Abaza (Jordan), who reports to Mr. Liviu Bota, head of the United Nations office in Dushanbe. The cease-fire came into effect as from 0800 hours local time on 20 October 1994, following a public announcement by Mr. Bota.

II. ISLAMABAD TALKS

4. The third round of inter-Tajik talks on national reconciliation, under United Nations auspices, took place at Islamabad from 20 October to 1 November 1994 with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakhstan, Pakistan, the Russian Federation, Uzbekistan, the Conference on Security and Cooperation in Europe (CSCE) and the Organization of the Islamic Conference (OIC). At the request of the parties concerned, my Special Envoy chaired the talks and made his good offices available during the negotiations. The delegation of the Tajik Government was led by Mr. Abdulmajid Dostiev, First Deputy Chairman of the Supreme Soviet of the Republic of Tajikistan, and the delegation of the Tajik opposition by Mr. Akhbar Turajonzodah, First Deputy Chairman of the Islamic Revival Movement of Tajikistan.

5. Although fundamental institutional issues and consolidation of the statehood of Tajikistan had previously been identified as the main items on the agenda of the third round of the talks, the extension of the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts de facto became the main issue negotiated in Islamabad. The two parties overcame serious difficulties and reached agreement on an extension of the cease-fire and the cessation of other hostile acts for another three months until 6 February 1995. That agreement was laid down in the joint communiqué which the parties signed on 1 November 1994 (see S/1994/1253, annex).

6. The two sides also signed the Protocol on the Joint Commission to monitor the implementation of the Agreement (ibid.). The Protocol contains the necessary provisions for the functioning of the Joint Commission, including its composition, powers, functions, guarantees of security, location, and the duration of its mandate. The Government of the Republic of Tajikistan pledged to provide logistic and material support for the Joint Commission on the territory of Tajikistan, while the opposition would provide the same on the territory of Afghanistan. The Protocol defines the role the parties wish the United Nations to assume in assisting the work of the Joint Commission.

7. The Joint Commission held its first meeting on 14 November 1994 at Dushanbe. Assisted by the United Nations military observers already in the country, it has begun to perform its functions in accordance with the Protocol signed at Islamabad.

8. In view of the non-compliance by both sides with paragraph 4 of the Tehran Agreement within the established time-frame, the parties undertook to release, before 6 November 1994, equal numbers of detained members of the opposition and of prisoners of war of the armed forces of the Republic of Tajikistan (27 persons from each side). The two sides also agreed to discuss the issue of releasing other supporters of the opposition and prisoners of war during future rounds of talks. In this connection, they confirmed their decision to seek the good offices of the International Committee of the Red Cross (ICRC) and to comply fully with its rules and procedures in future exchanges of detainees and prisoners of war.

9. The exchange of the detainees and prisoners of war took place on 12 November 1994 in Khorog, through ICRC. It is hoped that this step will open the way to further confidence-building measures by both sides.

10. Both Tajik parties reaffirmed their commitment to political dialogue as the only means of achieving national reconciliation and included this principle in the joint communiqué. In this connection, and in accordance with their previous agreement to rotate the venue of the talks, the parties agreed to hold the next round of talks in early December 1994 in Moscow, where they will continue their efforts to resolve all the issues listed in the agreed agenda. The two sides indicated their intention to discuss, on a priority basis, such issues as arrangements for free and democratic elections to the Tajik parliament and provincial and district legislative bodies, scheduled for late February 1995; confidence-building measures, including lifting the ban on political parties and movements in the context of national reconciliation, as well as the constructive engagement of the mass media in Tajikistan and beyond, with the aim of facilitating the restoration of peace and normalcy in the country.

11. Given the serious concerns expressed by the opposition delegation regarding the human rights situation in the Karategin valley, the two sides reconfirmed their commitment to the letter and spirit of the Tehran Agreement, in particular with regard to the need for the protection of human rights as defined in the Agreement. They emphasized the need to provide additional security guarantees to the civilian population of the Karategin valley by sending United Nations military observers there and stepping up the activities of international human rights organizations.

III. A POSSIBLE UNITED NATIONS PEACE-KEEPING OPERATION

A. General situation

12. The inhabitants of Tajikistan form a traditional society, characterized by clan and ethnic divisions, where authority is personalized and fragmented. The central Government, regardless of who is in power, has to exert itself to assert control. Public and private affairs are not easily distinguishable from each other. The use of force has been an integral part of the political process in Tajikistan. The opposition groups have established a measure of coordination among themselves for organizing armed actions and for purposes of the United Nations-sponsored negotiations; authority on the ground, however, is diffused.

13. The main areas of conflict have been in the central Karategin valley and along the southern border with Afghanistan. In addition, the area around Kurgan-Tyube, which is mixed with regard both to ethnicity and to clan structure, and from which many had fled, has remained tense. Kulyab Province in the south, which is strongly represented in the present Government, has so far been quiet. The Province of Leninabad in the north has also been quiet.

14. Tajikistan is mountainous (94 per cent of the territory), and in winter the road links between the central part of the country and the provinces of Leninabad in the north and Gorno-Badakshan in the south-east are cut off. Surface travel between those parts at that time of year requires long detours

via Uzbekistan and Kyrgyzstan. Tajikistan is a poor, land-locked country. Equipment and spare parts, even simple office supplies, have to be imported. Since surface transport is slow and insecure, most items would have to be brought in by air. The existing telecommunications links are unreliable.

B. Tasks to be performed by the United Nations

15. According to the Tehran Agreement of 17 September, the temporary cease-fire is to be implemented through the instrumentality of a Joint Commission, consisting of representatives of the Government and of the opposition. Thus, the responsibility for the cease-fire rests with the Tajik parties themselves. The task of the United Nations would be to assist the Joint Commission by providing "political mediation services and dispatching United Nations military observers".

16. The Tehran Agreement provides that the concept of "cessation of hostilities" shall include the following:

> "(a) The cessation by the Parties of all military activities, including all violations of the Tajik-Afghan border, offensive operations within the country, the shelling of adjacent territories, the conduct of all forms of military training, the redeployment of regular and irregular military formations in Tajikistan, which might result in the breakdown of this Agreement;
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> ...
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> "(b) The cessation by the Parties of acts of terrorism and sabotage on the Tajik-Afghan border, within the Republic and in other countries;
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> "(c) The prevention by the Parties of murders, the taking of hostages, unlawful arrest and detention, and acts of pillage against the civilian population and servicemen in the Republic and other countries;
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> "(d) The prevention of blockades of populated areas, national economic and military installations and of all means of communication;
>
> "(e) The cessation of the use of all forms of communication and mass media to undermine the process of national reconciliation;
>
> "(f) The Parties shall refrain from using religion and the religious feelings of believers, as well as any ideology, for hostile purposes."

These six points are interlinked and form a whole. The tasks of the United Nations would thus pertain to the implementation of all the elements which make up the cessation of hostilities.

17. The Agreement provides that the temporary cease-fire would last until the referendum on the constitution and the election of the president. Those votes took place on 6 November 1994. However, as already noted, the parties agreed at Islamabad to extend the temporary cease-fire for a further three months until

6 February 1995, during which period further negotiations are to be held. The assistance of the United Nations would be required at least until that date.

C. Concept of operations

18. The Joint Commission established under the Tehran Agreement, consisting of representatives of the Government and of the opposition, constitutes the formal machinery for implementing the Agreement. Both Tajik parties as well as interested Governments have emphasized the importance of active United Nations involvement at all levels in order to ensure the effective functioning of the Joint Commission.

19. The United Nations mission would act at the request of the Joint Commission or on its own initiative. In case of a complaint about a cease-fire violation, it would investigate in order to establish the facts. It would report its findings to the Joint Commission and to United Nations Headquarters. In addition, the United Nations would provide its good offices as stipulated in the Cease-fire Agreement.

20. In the conditions prevailing in Tajikistan, it is not easy to distinguish between political violence, violent crime and violence arising from private disagreements. It would overburden the Joint Commission and place the political process under great strain if each of those acts were treated formally as a cease-fire violation. In accordance with the standard practice in United Nations peace-keeping operations, the United Nations personnel would therefore endeavour, in exercise of their good offices, to resolve minor incidents at the local level while keeping their superior headquarters informed.

21. The nature of the elements that make up the cease-fire package and the responsibilities of the United Nations under the Agreement call for an integrated civil-military operation in Tajikistan. It should be headed by a person with political experience, supported by a small civil-affairs staff as well as military observers. The personnel would be deployed in teams at a number of offices in the country. Each office would serve as a base from which the teams would cover a geographic area of responsibility.

22. The United Nations mission in Tajikistan would be under the exclusive direction of the Secretary-General. It would discharge its responsibilities with complete objectivity and impartiality. The parties would be required to respect the international status of the United Nations mission and its personnel and to cooperate fully with it in the implementation of its mandate. The mission and its members would need to be accorded complete freedom of movement and the necessary privileges, immunities and exemptions, in accordance with standard peace-keeping practice. A status-of-mission agreement along the lines of the model agreement contained in document A/45/594 would need to be concluded with the Government of Tajikistan.

D. Strength

23. Under the concept of operations outlined above, which is based on investigation, good offices and liaison, the United Nations mission in Tajikistan need not be large in order to perform its functions. A military complement of 40 officers would suffice to strengthen the headquarters in Dushanbe and the offices in Kurgan-Tyube, Pyanj and Garm, and to open additional offices, for example in Tavildara and Khorog. This deployment would take into account the constraints imposed by the winter and includes the locations consistently mentioned by all concerned.

24. The Chief of Mission would need to be supported in his headquarters by a small civilian staff of four professionals; it would also be desirable to have an additional three to four civil-affairs officers for work away from headquarters. Depending on the level of activities, they could be permanently stationed in some of the field offices. The international support staff would need to be strengthened to deal with the increased requirements. Similarly, a number of staff, including interpreters, would need to be recruited locally.

E. Security

25. Given the political and economic conditions in Tajikistan, the security situation remains uncertain and would need to be monitored carefully. Good communications and reliable vehicles would be essential. However, it is believed unlikely at this stage that the unarmed United Nations personnel would be targeted, although there could be some risk from undisciplined armed personnel and from criminals; movement at night would therefore not be advisable.

F. Relations with other forces

26. The Russian, Kazakh and Kyrgyz border forces in Tajikistan are deployed along the Pyanj river, which forms the border with Afghanistan. Those border forces perform functions that would normally fall to the Government of Tajikistan (Tajik border forces, which fall under the jurisdiction of the Ministry of Security, are deployed in the Pyanj sector). The Russian and other border forces are commanded by a Russian Lieutenant-General; he reports to the commander of the Russian border forces with headquarters in Moscow. The border forces have reported illegal crossings of the border and attacks on their posts. These would need to be investigated as possible cease-fire violations.

27. The Collective Peace-keeping Forces of the Commonwealth of Independent States (CIS) in Tajikistan (Russian and a small number of Uzbek troops) have the following mandate:

> (a) To assist in the normalization of the situation on the Tajik-Afghan border with a view to stabilizing the overall situation in the Republic of Tajikistan and creating conditions conducive to progress in the dialogue between all interested parties on ways of achieving a political settlement of the conflict.

(b) To assist in the delivery, protection and distribution of emergency and other humanitarian aid, create conditions for the safe return of refugees to their places of permanent residence and guard the infrastructure and other vitally important facilities required for the foregoing purpose.

28. The United Nations mission would be quite distinct from the forces of the CIS and the border forces. It would, however, maintain close liaison with them and rely on their cooperation as appropriate.

G. Estimated cost

29. It is estimated that, for the period from 1 December 1994 to 6 February 1995, the cost of an observer mission as outlined above would be approximately $1,895,800 gross, including start-up costs of $788,300. The monthly cost thereafter would be approximately $442,300. This estimate provides for 40 military observers, 18 international and 26 local civilian staff.

Estimated cost by main category of expenditure

(In thousands of United States dollars)

	1 December 1994 to 6 February 1995	Monthly thereafter
Military personnel	356.3	119.9
Civilian personnel	562.1	203.6
Premises/accommodation	7.9	3.6
Transport operations	269.4	9.7
Communications and other equipment	407.1	82.8
Supplies, services, freight	253.0	22.7
Public information	40.0	0.0
Total	1 895.8	442.3

30. Should the Security Council decide to establish an observer mission in Tajikistan, it would be my recommendation to the General Assembly that the costs should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to a special account to be established for this purpose.

IV. OBSERVATIONS

31. The extension of the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks for another three months until 6 February 1995 is a positive step towards national reconciliation and the restoration of peace in Tajikistan.

32. In this connection, I should like to express my appreciation for the important role played by the observer countries and international organizations during the third round of the inter-Tajik talks. Through their advice and encouragement, they contributed significantly to the positive outcome of the Islamabad round of talks.

33. No time should now be lost in advancing further the process of national reconciliation in Tajikistan. I have therefore instructed my Special Envoy to explore actively with the two Tajik sides and the observers at the inter-Tajik talks ways of achieving further substantial progress during the fourth round of the inter-Tajik talks, at which fundamental political and institutional issues are to be discussed. Those talks are now scheduled to take place in Moscow in early January. Particular importance is attached in this connection to the elections to the Tajik national parliament and local legislative bodies, which are at present scheduled to be held before the end of February 1995.

34. In the meantime, the situation in Tajikistan and on its border with Afghanistan remains tense, as confirmed by the reports of the United Nations personnel in the country. In addition, the deepening economic crisis is having a negative impact on the attempts to achieve political stability in the country, especially in the southern districts, which were directly affected by the civil war.

35. In these circumstances, I believe that the United Nations should respond positively to the request of the Tajik parties to assist them in the implementation of the cease-fire. I accordingly recommend that the Security Council establish a small observer mission of the kind outlined above to perform that task.

36. I very much hope that the successful release of detainees and prisoners of war through the International Committee of the Red Cross earlier this month will open the way to further confidence-building measures between the two sides.

37. It would not be realistic to expect that the problems which have given rise to the conflict in Tajikistan will be solved within the span of a few months, or that Tajikistan will then no longer require international assistance in overcoming its difficulties. However, I do not believe that such assistance should be in the form of United Nations military observers stationed in Tajikistan for an indefinite period. The problems of Tajikistan must be solved through a political process, supported by interested Governments and, through the United Nations, by the international community as a whole. But the primary responsibility for composing their differences rests with the Tajik parties

themselves. The international community should provide the assistance requested of it only if the Tajik parties acknowledge that responsibility and take effective steps to discharge it.